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Employers Mutual Casualty Company

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SCOTTSDALE INSURANCE
COMPANY,

Plaintiff,

v.

KINSALE INSURANCE COMPANY,
and DOES 1-20 inclusive,

Defendants.

KINSALE INSURANCE COMPANY,

Third-Party Plaintiff,

v.

EMPLOYERS MUTUAL CASUALTY
COMPANY,

Third-Party Defendant.

Case No. 2:22-cv-01203-JAD

**JOINT STIPULATION TO
DISMISS WITH PREJUDICE AND
ORDER**

ECF No. 25

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Scottsdale Insurance Company, Defendant/Third-Party Plaintiff Kinsale Insurance Company, and Third-Party Defendant Employers Mutual Casualty Company, by and through their respective attorneys of record, hereby jointly agree and stipulate to the dismissal of the above captioned action *with prejudice*, each party to bear their own attorneys' fees and costs. The parties jointly move the Court to dismiss the action with prejudice. The parties have resolved their dispute by settlement.

The parties request that the court reserve jurisdiction to enforce the settlement agreement pursuant to *Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375, 378, 114 S.Ct. 1673, 1675-1676 (1994); *Hagestad v. Tragesser*, 49 F3d 1430, 1432 (9th Cir. 1995).

IT IS SO STIPULATED.

Dated: June 8, 2023

NICOLAIDES FINK THORPE
MICHAELIDES SULLIVAN LLP

By: /s/ Timothy P. Kitt
Timothy P. Kitt
Dane A. Littlefield
Todd R. Alexander
Attorneys for Defendant / Third-Party
Plaintiff Kinsale Insurance Company

Dated: June 8, 2023

SELMAN LEICHENGER EDSON
HSU NEWMAN MOORE LLP
By: /s/ David A. Astengo
David A. Astengo
Attorneys for Plaintiff
Scottsdale Insurance Company

1 Dated: June 8, 2023

CARMAN COONEY FORSBUSH
PLLC

3 By: /s/ Benjamin J. Carman
4 Benjamin J. Carman
5 Robert T. Hernandez
6 Attorneys for Third-Party Defendant
7 Employers Mutual Casualty
8 Company

9 *Filer's Attestation: Pursuant to Local Rule 5-4.3.4(a)(2)(i)*
10 *regarding signatures, David Astengo hereby attests that concurrence in*
11 *the filing of this document and its content has been obtained by all*
12 *signatories listed.*

13 **ORDER**

14 **Based on the parties' stipulation [ECF No. 25] and good cause appearing,**
15 **IT IS HEREBY ORDERED that THIS ACTION IS DISMISSED with prejudice,**
16 **each side to bear its own fees and costs. The Clerk of Court is directed to**
17 **CLOSE THIS CASE.**

18 
19 **U.S. District Judge Jennifer A. Dorsey**
20 **Dated: July 10, 2023**